IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No. 5611 of 2007

Date of decision : November 01, 2007

Kali

....Petitioner

versus

Ashok Kumar

....Respondent

Coram: Hon'ble Mr. Justice Pritam Pal

Present : Mr. PR Yadav, Advocate, for the petitioner

Pritam Pal,J. (Oral)

Petitioner wife has filed this revision petition under Article 227 of the Constitution of India, against order dated 21.7.2007 passed by learned Additional District Judge, Rewari, whereby the defence of the petitioner was struck off on account of her non-appearance in reconciliation proceedings.

Learned counsel for the petitioner at the outset of his arguments has taken me through the interim order dated 27.5.2006 passed by the trial court, certified copy of which has been placed on record today in the Court. A perusal of aforesaid order indicates that parties had already appeared before the Lok Adalat for reconciliation proceedings and their efforts for reconciliation had proved abortive. It appears that the trial court was not aware of the aforesaid order at the time of passing the impugned order dated 21.7.2007.

Be that as it may, in the given circumstances, I feel that no notice is required to be served upon the respondent.

After hearing the learned counsel for the petitioner and going through the record and the order dated 27.5.2006, this petition is disposed of with a direction that the trial court shall give one more opportunity to petitioner for her appearance in reconciliation proceedings. No doubt, the efforts for reconciliation had already failed before the Lok Adalat but still taking an over all view of the matter, the learned trial court shall again give one more opportunity to the petitioner for appearance for the purpose of reconciliation proceedings, as stated above and thereafter, shall proceed further in the matter, in accordance with law.

(Pritam Pal)
Judge

November 01, 2007
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